

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JEFF ANDREWS

PLAINTIFF

v.

2:20-CV-02094

UNITED STATES OF AMERICA

DEFENDANT

ORDER

Plaintiff filed a motion (Doc. 36) for approval of settlement of this case. Plaintiff's motion indicates that the parties have reached a tentative settlement agreement, subject to Court approval under Ark. Code Ann. § 11-9-410(c). Plaintiff has agreed to accept \$99,500 to resolve all claims against Defendant, and Defendant's worker's compensation carrier has waived any right to subrogation. The Court has reviewed the motion and its exhibits. Because Federal Rule of Civil Procedure 41(a)(2) allows the Court to dismiss a case at Plaintiff's request on terms the Court considers proper, and in the interest of expediting procedural steps necessary to resolve this matter, the Court will approve the settlement as a term of dismissal with prejudice. Furthermore, the Court will retain jurisdiction to enforce the settlement. Should a release not be executed by Plaintiff or settlement funds not be distributed to Plaintiff, either party may move in this case for specific performance of their agreement.

IT IS THEREFORE ORDERED that Plaintiff's motion (Doc. 36) is GRANTED. The settlement agreement is approved and this case is DISMISSED WITH PREJUDICE. The Court retains jurisdiction to enforce the terms of the settlement agreement.

IT IS SO ORDERED this 16th day of July, 2021.

/s/ P. K. Holmes, III

P.K. HOLMES, III
U.S. DISTRICT JUDGE